

Tuesday, July 14, 2015

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 AM.

PRESENT: Supervisors: Frank R. Mecham, Bruce S. Gibson, Adam Hill, Lynn Compton and Chairperson Debbie Arnold

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON DEBBIE ARNOLD.

Consent Agenda – Review and Approval:

1-15. This is the time set for consideration of the Consent Agenda.

Chairperson Arnold: opens the floor to public comment.

The action taken for Consent Agenda items 1 through 15 on the following vote is indicated for each item.

Motion by: Frank R. Mecham
Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Consent Agenda - Administrative Office Items:

1. Thirty-day update on current drought conditions and related management actions for the Board’s review of the continuing need for the March 11, 2014 proclamation of local emergency pursuant to Government Code section 8630. All Districts.

Mr. Eric Greening: speaks.

The Board approves as recommended by the County Administrative Officer.

2. Request by the San Luis Obispo Business Improvement District (CBID) to appoint Denise Robson and reappoint Gary G. Setting to the Los Osos/Morro Bay (unincorporated) Local Area Advisory Board. District 2.

The Board approves as recommended by the County Administrative Officer.

3. Submittal of a resolution approving participation in the 2015-16 State-Local Partnership Program and designating the San Luis Obispo County Arts Council as the Local Arts Planning Agency. All Districts.

Mr. Eric Greening: speaks.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-175, adopted.

Consent Agenda - Clerk-Recorder Items:

4. Request to approve the minutes of the Board of Supervisors meetings held during the months of January 2015 through May 2015. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Planning & Building Items:

5. Submittal of a resolution to approve an Avigation Easement from Pismo Coast Village, a Corporation, for the Oceano County Airport. District 4.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-176, adopted.

Consent Agenda - Public Works Items:

6. Request to approve a reimbursement agreement between the County of San Luis Obispo on behalf of CSA 16 (County) and San Luis Obispo County Flood Control and Water Conservation District (District) for the construction of the Shandon Turnout Project. District 1.

The Board approves as recommended by the County Administrative Officer.

7. Submittal of a resolution for the addition of delinquent water and sewer availability charges for County Service Areas Nos. 7-A (Oak Shores), 16 (Shandon), 18 (Country Club Estates) and 23 (Santa Margarita) to the 2015-16 Property Tax Bills. Districts 1, 3, and 5.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-177, adopted.

8. Request to approve an agreement with the Upper Salinas – Las Tablas Resource Conservation District for Implementation of Santa Rosa Creek Bank Stabilization – Gerhardt Property, along Santa Rosa Creek Road in the community of Cambria. District 2.

The Board approves as recommended by the County Administrative Officer.

9. Submittal of a resolution providing for a service charge credit/rebate for parkway facilities services in County Service Area No.1A (Galaxy Park, Tract 1898, Nipomo) Budget Unit 2500001000. District 4.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2015-178, adopted.

Consent Agenda - Public Works Sitting as Flood Control District:

10. Request to approve a reimbursement agreement between the San Luis Obispo County Flood Control and Water Conservation District (District) and County of San Luis Obispo on behalf of CSA 16 (County) for the construction of the Shandon Turnout Project. District 1.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Social Services Items:

11. Request to approve a FY 2015-16 through FY 2016-17 renewal service contract (Clerk's File) with the National Council on Crime and Delinquency, Inc., for Safe Measures and Structured Decision Making in the total amount of \$195,500. All Districts.

The Board approves as recommended by the County Administrative Officer.

12. Request to approve a FY 2015-16 renewal service contract (Clerk's File) for Services Affirming Family Empowerment Family Advocates with Community Action Partnership of San Luis Obispo County, Inc. in the amount of \$76,694. All Districts.

The Board approves as recommended by the County Administrative Officer.

13. Request to approve two FY 2015-16 renewal service contracts (Clerk’s File) for CalWORKs Work-Study and Bridge to Success, with San Luis Obispo County Community College District (Cuesta) in the amounts of \$75,000 and \$65,000 respectively. All Districts.

The Board approves as recommended by the County Administrative Officer.

14. Request to approve two FY 2015-16 renewal service contracts (Clerk’s File) for Domestic Violence Services with: 1. RISE (Respect, Inspire, Support, Empower) of San Luis Obispo County and 2. Women’s Shelter Program of San Luis Obispo County (WSP) in the amounts of \$100,000 and \$75,000 respectively. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Sheriff - Coroner Items:

15. Request to approve a three-year renewal contract with the option to renew two successive one-year periods (Clerk’s File) with Guardsmark, GP for Trial Court Security Screening Services for an estimated annual amount of \$251,300 and authorize the Sheriff-Coroner to sign any routine amendments to the contract. All Districts.

Dr. C. Hite: speaks.

The Board approves as recommended by the County Administrative Officer.

Presentations:

16. Request to adopt the resolution recognizing July 12-18th, 2015 as Probation Services Week in San Luis Obispo County. All Districts.

Chief Jim Salio (video): speaks.

Chairperson Arnold: opens the floor to public comment without response.

RESOLUTION NO. 2015-179, a resolution recognizing July 12-18, 2015 as Probation Services Week, adopted.

Motion by: Bruce S. Gibson
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

17. Submittal of a resolution recognizing the 25th Anniversary of the signing of the Americans with Disabilities Act in San Luis Obispo County. All Districts.

Ms. Heidi McPherson – Community Foundation of San Luis Obispo County Chief Executive Officer (CEO) and Ms. Ruth Vasconcellos – Access for All: speak.

Chairperson Arnold: opens the floor to public comment.

Mr. Kevin Drabinski – Senior Field Representative for Assemblyman Katcho Achadjian (presents a certificate of recognition to Access for All); Mr. Tommy Gong – County Clerk-Recorder; Dr. C. Hite; and Mr. Eric Greening: speak.

RESOLUTION NO. 2015-180, a resolution recognizing the 25th Anniversary of the signing of the Americans with Disabilities Act in San Luis Obispo County, adopted.

Motion by: Frank R. Mecham
Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

18. Submittal of a resolution honoring the Engle family as the recipients of the 2015 "Circle of Serving" award for their exemplary service to children and families in San Luis Obispo County. All Districts.

Mr. Scott Engle and Mr. Jim Roberts - Family Care Network: speak.

Chairperson Arnold: opens the floor to public comment without response.

RESOLUTION NO. 2015-181, a resolution recognizing the Engle family for their exemplary service to children and families in San Luis Obispo County, adopted.

Motion by: Adam Hill
Second by: Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Public Comment Period:

19. This is the time set for members of the public to address the Board on matters that are not scheduled on the agenda.

Mr. Eric Greening: comments on civil discourse and legislation relating to transportation.

Mr. Ben DiFatta: outlines the 8 levels of control by Saul Alinsky.

Dr. C. Hite: compliments the Board for their conduct during last week’s meeting; and why various county-related issues makes it difficult to be positive.

Ms. Andrea Seastrand - Central Coast Tax Payers Association Vice President: reads into the record a letter requesting the Board support the “Defend Prop 13 Coalition” in opposing Senate Constitutional Amendment (SCA) 5, the "split roll" tax proposal.

Mr. Gary Kirkland: urges the Board to support Ms. Seastrand’s opposition.

Mr. George Sullivan: thanks the Board for the funding to the Department of Public Works and addresses the need to continue looking at flood control issues.

Ms. Linde Owen: speaks to a salt water intrusion report published in the Tribune; concerns regarding the need for 500 privately owned wells to be metered; and an article regarding Trees and Drought.

Mr. Eric Veium - SLO Clean Energy; Mr. Eric Meyer; and Mr. Jeff Buckingham: comments on the exploration of Community Choice Energy and encourages the County's participation.

Supervisor Gibson: recommends the Planning and Building Department's Energy Division report back on the analysis of the Community Choice Energy and other energy related items in a Board Study Session, with concurrence of the Board.

On Motion by Chairperson Debbie Arnold, seconded by Supervisor Lynn Compton, to direct staff to write a letter opposing SCA-5 “split roll” tax proposal and any attempt to undermine Proposition 13 tax protection, is discussed.

Supervisor Gibson: states it is premature to take a position to oppose at this time and prefers staff return with a specific analysis on this matter.

The Board directs staff to write a letter opposing SCA-5 “split roll” tax proposal and any attempt to undermine Proposition 13 tax protection

Motion by: Debbie Arnold
Second by: Lynn Compton

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)		x		
Hill, Adam (Board Member)	x			

Hearings

- 20.** Hearing to consider a resolution authorizing the addition of delinquent service charges for County Service Area 16 (Shandon), to the 2015-16 Property Tax Bills. District 1.

Chairperson Arnold: opens the floor to public comment without response.

RESOLUTION NO. 2015-182, a resolution verifying delinquent service charges County Service Area 16 – Water Service, adopted. Further, the Clerk is directed to file the copy of the approved resolution with the Auditor/ Controller/Tax Collector/Treasurer (ACTT) prior to August 10, 2015.

Motion by: Frank R. Mecham
Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

- 21.** Hearing to consider an amendment to Section 2.40.060 of the County Code, to create the Assistant Chief Probation Officer position approved in the FY 2015-16 adopted budget and add the position to the list of unclassified service positions. All Districts.

Chairperson Arnold: opens the floor to public comment without response.

The reading of the proposed ordinance is waived and said proposed ordinance is read by title only and ORDINANCE NO. 3299, an ordinance amending Section 2.40.060 of the County Code, adopted. Furthermore, the Clerk is instructed to publish the amended ordinance in a newspaper of general circulation, in its entirety, within 15 days after adoption.

Motion by: Adam Hill
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Board Business:

22. Request to approve the Mental Health Services Act Annual Update to the Three-Year plan for Fiscal Year 2015-16. All Districts.

(This item is amended, per the addendum to the agenda, by replacing page 5 of the Results section of the staff report with corrected outcome percentages and by replacing Attachment #1 with the corrected information on the outcome percentages, number of clients served, cost per client, as well as additional language, and a corrected link in Appendix E. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72 hour noticing requirement.)

Mr. Frank Warren – Mental Health Services Act (MHSA) Coordinator and Behavioral Health Prevention and Outreach Division Manager: clarifies the staff report contains a statistical error in the FSP Homeless Outreach Team section; the percentage reduced for emergency room, psych, and hospitalization is 60% not 93%.

Chairperson Arnold: opens the floor to public comment without response.

The Board approves the Mental Health Services Act Annual Update to the three-Year plan for Fiscal Year 2015-16.

Motion by: Bruce S. Gibson
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Arnold, Debbie (Chairperson)	x			
Compton, Lynn (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Hill, Adam (Board Member)	x			

Closed Session Items:

23. The Board announces they will be going into Closed Session regarding:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: (1) Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of section 54956.9. Number of potential cases: Two; (2) Initiation of litigation pursuant to paragraph (4) of subdivision (d) of section 54956.9. Number of potential cases: Two.

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: Existing Litigation (Gov. Code, section 54956.9(a)). (Formally initiated.) (3) ARB, Inc. v. County of San Luis Obispo; (4) County of San Luis Obispo v. San Luis Obispo Government Attorneys’ Union; (5) County of San Luis Obispo v. San Luis Obispo Deputy County Counsel Association; (6) County of San Luis Obispo County Deputy County Counsel’s Association, et al. v. County of San Luis Obispo, et al.; (7) Los Osos Community Services District v. Golden State Water Company, et al.;

CONFERENCE WITH LABOR NEGOTIATOR (Government Code, section 54957.6.) It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator, Tami Douglas-Schatz, concerning the following employee organizations: (8) San Luis Obispo Government Attorney’s Union (SLOGAU); (9) San Luis Obispo County Employees Association – Trades and Crafts (SLOCEA-T&C); (10) Deputy County Counsel’s Association (DCCA); (11) Sheriffs’ Management; (12) San Luis Obispo County Probation Peace Officers’ Association (SLOCPPOA); (13) Deputy Sheriff’s Association (DSA); (14) District Attorney Investigators’ Association (DAIA); (15) San Luis Obispo County Probation Managers’ Peace Officers’ Association (SLOCPMPOA); (16) San Luis Obispo County Employees Association – Public Services, Supervisors, Clerical (SLOCEA – PSSC); (17) Unrepresented Management and Confidential Employees; and (18) Association of San Luis Obispo County Deputy Sheriffs

(ASLOCDS).

(Added Closed Session, per the addendum to the agenda. CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: Existing Litigation (Gov. Code, section 54956.9(a)). (Formally initiated.) (19) Wilton Webster and Helen Webster v. County of San Luis Obispo; (20) Save Adelaida, Wilton Webster and Helen Webster v. County of San Luis Obispo, et al. Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72 hour noticing requirement.)

Chairperson Arnold: opens the floor to public comment without response.

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: no report required as no final action was taken and the Board goes into Open Public Session.

Presentation:

17. Submittal of a resolution recognizing the 25th Anniversary of the signing of the Americans with Disabilities Act in San Luis Obispo County. All Districts, is brought back.

Chairperson Arnold: re-opens the floor to public comment.

Ms. Susan Chandler - Californians for Disability Rights President (flyer): speaks. **No action taken.**

Board Business:

24. Presentation on the Updated Basin Plan for the Los Osos Groundwater Basin and Implementing Agreements. District 2.

Mr. Rob Miller – Los Osos Community Services District (LOCSD) District Engineer; Mr. Rob Hanford – Golden State Water Company Coastal District General Manager; Mr. Bill Garfinkel – S&T Mutual Water Company Director; Mr. Spencer Harris – Cleath-Harris Geologists; Mr. Rob Saperstein - Golden State Water Company Legal Counsel; and Mr. Michael Seitz – LOCSD General Legal Counsel: present a powerpoint presentation with staff.

Chairperson Arnold: opens the floor to public comment.

Ms. Linde Owen; Mr. John Snyder; Mr. Eric Greening; Mr. Jeff Edwards; Ms. Julie Tacker; Dr. C. Hite; Mr. Patrick McGibney – Santa Lucia Chapter Sierra Club Executive Committee Vice-Chairperson (document); Mr. Keith Wimer – Sierra Club Local Chapter Water Committee Chairperson (document); Mr. Chuck Cesena; and Mr. Richard Margetson: speak.

The Board receives the presentation on the Updated Basin Plan for the Los Osos Groundwater Basin and on implementing agreements from staff and the other members of the Working Group established under the Interlocutory Stipulated Judgment, including the Los Osos Community Services District, Golden State Water Company and S&T Mutual Water Company and directs staff to explore financing options and a consultant.

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **TOMMY GONG**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, July 14, 2015, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

TOMMY GONG, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

DATED: July 16, 2015